

RULES AND REGULATIONS
PERTAINING TO THE FEE STRUCTURE FOR TESTING
PRIVATE WELL DRINKING WATER AND OTHER MEDIA FOR
SUBSTANCES
OF PUBLIC HEALTH CONCERN
(R23-1-5.1-PW)

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
Department of Health
January 1988

As Amended:

October 1992
November 1993
January 1994 (E)
July 1994
October 1994
**January 2002 (re-
filing in
accordance with
the provisions of
section 42-35-4.1
of the Rhode
Island General
Laws, as amended)**

INTRODUCTION

These Rules and Regulations Pertaining to the Fee Structure For Testing Private Well Drinking Water (R23-1-5.1-PW) are promulgated pursuant to the authority set forth in section 23-1-5.1 of the General Laws of Rhode Island, as amended, and are established for the purpose of adopting the fee structure for the testing of private well water supplies used as sources of drinking water in this state.

Pursuant to the provisions of Chapter 42-35-3(c) of the General Laws, consideration was given to: (1) alternative approach to the regulations; (2) duplication or overlap with other state regulations; and (3) significant economic impact on small business as defined under Chapter 42-35 which may result from the regulations. No alternative approach, duplication or overlap was identified, nor any significant economic impact based on information available. Consequently, the regulations are adopted in the best interest of the public health, safety and welfare.

These Rules and Regulations shall supersede all previous Rules and Regulations pertaining to the fee structure for Testing Private Well Drinking Water, promulgated by the Department of Health and filed with the Secretary of State.

TABLE OF CONTENTS

PAGE

R23-1-5.1-PW

Section

1.0	Definitions	1
2.0	General Requirements	1
3.0	Laboratory Testing Services	2
4.0	Criteria For The Determination of Fees	2
5.0	Payment of Fees	2
6.0	Severability	3
	Appendix I	4

Section 1.0 Definitions

Wherever used in these rules and regulations the following terms shall be construed as follows:

- 1.1 "Act" refers to Chapter 23-1-5.1 of the General Laws of Rhode Island, as amended entitled "Department of Health".
- 1.2 "Director" refers to the Director of the Rhode Island Department of Health.
- 1.3 "Division of Laboratories" refers to the Division of Laboratories of the Rhode Island Department of Health.
- 1.4 "Private Well Water Supplies" means a source of well water used for human consumption and which is not a "Public Water System".
- 1.5 "Public Water System" means a system for the provision to the public of piped water for human consumption, provided such system has at least fifteen (15) service connections or regularly serves an average of at least twenty-five (25) individuals daily at least sixty (60) days out of the year, pursuant to the Rules and Regulations Pertaining to Public Drinking Water (R46-13-DWS), Rhode Island Department of Health.
- 1.6 "Well Water" means water that is taken from below the ground through piping or similar installed device utilizing external force or vacuum.

Section 2.0 General Requirements

- 2.1 Pursuant to section 23-1-5.1 of the Act, the Director is authorized to provide, upon request, testing (chemical, radiological and microbiological) testing for private well water supplies used as sources of drinking water.
 - 2.1.1 Testing of private well water supplies shall be

subject to the fee schedule
established in accordance with the
provisions of section 4.0 herein.

Section 3.0 Laboratory Testing Services

- 3.1 Nothing in these rules and regulations requires the use of the Division of Laboratories for testing of private well water supplies where other licensed laboratories are available.
- 3.2 Persons who wish to test private well water supplies can obtain a sampling kit(s) from the Division of Laboratories at the Department of Health.
 - 3.2.1 Kits shall contain a price list, an order form for sample water testing. Upon selection of the test(s), the collection of water sample and the completion of the necessary forms, the kit is to be submitted to the Division of Laboratories, Rhode Island Department of Health.

Section 4.0 Criteria For The Determination Of Fees

- 4.1 The fee for each chemical, radiological and microbiological tests requested by an individual and conducted by the Division of Laboratories shall be reasonable and shall be determined on the basis of current costs for conducting the requested tests. Such costs shall include administrative, personnel, equipment and such other related costs which may be incurred in the testing of private well water supplies.
- 4.2 The fee shall be assessed no less than annually and adjusted as needed based on the criteria herein, and the need to meet current costs for the operation of the private well water supplies testing program.
- 4.3 Fees for tests are as set forth in Appendix A.

Section 5.0 Payment of Fees

- 5.1 Water testing will be prepaid. The testing(s) fees shall be submitted at the time the sample is forwarded to the Division of Laboratories. Payment by check or money order shall be made payable to the General Treasurer, State of Rhode Island.

Section 6.0 Severability

- 6.1 If any provision of these rules and regulations or the application thereof to any person or circumstance shall be held invalid, such invalidity shall not affect the provisions or applicability to the rules and regulations which can be given effect, and to this end the provisions of the rules and regulations are declared to be severable.

APPENDIX A

FEEES FOR PRIVATE WELL TESTING

TEST	FEE
TO3 VOCS.	115.00
TO5 B/N EXT..	300.00
TO7 ACID EXT.	200.00
TO8 PAHs.	200.00
TO11 USER FEE VOCs	115.00
TO12 WQ VOC.	215.00
TO17 WQ VOC + PET.	215.00
TO19 TOTAL EXT. W/O PESTICIDES + PCBs.	375.00
TO23 METHOD 8260 LEGAL	225.00
TO24 METHOD 8260 NON-LEGAL	200.00
RA3 RADON IN WATER.	29.00
RA10 RADON IN AIR.	15.00
PEST/PCB	186.00
WATER-HERBICIDES	226.00
WATER-TEMIK.	81.00
COLIFORM - MF PWO.	22.00
FECAL COLIFORM ALL SM.	10.00
PRESENT/ABSENT	20.00
% MOISTURE	16.00
% SOLIDS	16.00
% VOLATILE SOLIDS.	16.00
ALKALINITY	11.00
ALUMINUM	16.00
AMMONIA.	17.00
ANTIMONY	24.00
ARSENIC.	24.00
BARIUM	16.00
BERYLLIUM.	24.00
BOD.	32.00
CADIUM	24.00
CALCIUM.	16.00
CHLORIDE	11.00
CHROMIUM	24.00
COLOR.	5.00
COPPER	16.00
CYANIDE.	41.00
FLUORIDE	15.00
FOAM SCREEN.	4.00
HARDNESS	16.00
HEXAVALENT CHROMIUM.	16.00
IRON	16.00
LEAD-PRIVATE	24.00
LEAD IN SOIL	21.00

APPENDIX A

FEES FOR PRIVATE WELL TESTING (continued)

TEST	FEE
LEAD IN DUST	21.00
LEAD IN DUST (wipes)	21.00
LEAD - PAINT CHIPS.	21.00
MAGNESIUM	16.00
MANGANESE	16.00
MBAS.	38.00
MERCURY	32.00
NICKEL.	16.00
NITRATE	16.00
NITRITE	16.00
ODOR.	4.00
OIL & GREASE.	32.00
PHOSPHATE, ORTHO.	22.00
PHOSPHORUS, TOTAL	24.00
POTASSIUM	16.00
RESIDUAL CHLORINE	17.00
SEDIMENT.	4.00
SELENIUM.	24.00
SILVER.	24.00
SODIUM.	16.00
SOLIDS, LOI	16.00
SOLIDS, SETTLEABLE.	10.00
SOLIDS, SUSPENDED	16.00
SOLIDS, TOTAL	16.00
SPEC CONDUCTANCE.	11.00
SULFATE	16.00
SULFIDE	16.00
THALLIUM.	24.00
TOTAL PHENOLS	32.00
TURBIDITY	5.00
TURBIDITY SCREEN.	4.00
ZINC.	16.00
pH.	5.00